

---

**TITLE 326 AIR POLLUTION CONTROL DIVISION**

**Proposed Rule**  
LSA Document #14-256

**DIGEST**

Amends [326 IAC 7-4.1-21](#) concerning sulfur dioxide (SO<sub>2</sub>) emission limits for Walsh and Kelly located in Griffith, Indiana. Effective 30 days after filing with the Publisher.

**HISTORY**

First Notice of Comment Period: July 23, 2014, Indiana Register (DIN: [20140723-IR-326140256FNA](#)).

Second Notice of Comment Period: October 15, 2014, Indiana Register (DIN: [20141015-IR-326140256SNA](#)).

Notice of First Hearing: October 15, 2014, Indiana Register (DIN: [20141015-IR-326140256PHA](#)).

Date of First Hearing: January 14, 2015.

**PUBLIC COMMENTS UNDER [IC 13-14-9-4.5](#)**

[IC 13-14-9-4.5](#) states that a board may not adopt a rule under [IC 13-14-9](#) that is substantively different from the draft rule published under [IC 13-14-9-4](#), until the board has conducted a third comment period that is at least 21 days long. Because this proposed rule is not substantively different from the draft rule published on October 15, 2014, at DIN: [20141015-IR-326140256SNA](#), the Indiana Department of Environmental Management (IDEM) is not requesting additional comment on this proposed rule.

**SUMMARY/RESPONSE TO COMMENTS FROM THE SECOND COMMENT PERIOD**

IDEM requested public comment from October 15, 2014, through November 14, 2014, on IDEM's draft rule language. No comments were received during the second comment period.

**SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING**

On January 14, 2015, the Environmental Rules Board (board) conducted the first public hearing/board meeting concerning the development of amendments to [326 IAC 7-4.1-21](#). No comments were made at the first hearing.

**[326 IAC 7-4.1-21](#)**

SECTION 1. [326 IAC 7-4.1-21](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 7-4.1-21](#) Walsh and Kelly sulfur dioxide emission limitations**

**Authority:** [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 21. (a) Walsh and Kelly, Source Identification Number 03215, shall comply with the sulfur dioxide emission limits for the aggregate dryer of less than:

- (1) twenty-five (25) tons per year; and
- (2) forty-two (42) pounds per hour.

(b) The input of re-refined waste oil and ~~re-refined waste oil~~ **its calculated #2 fuel oil** equivalents in the one hundred ~~twenty (120)~~ **fifteen (115) million British thermal units** (MMBtu) per hour burner for the aggregate dryer shall be limited to less than seven hundred forty thousand seven hundred twenty-five (740,725) gallons per twelve (12) consecutive month period, rolled on a monthly basis, based on maximum sulfur content of forty-five hundredths percent (0.45%) for re-refined waste oil.

(Air Pollution Control Division; [326 IAC 7-4.1-21](#); filed May 25, 2005, 10:50 a.m.: 28 IR 2965)

**[Notice of Public Hearing](#)**

Posted: 02/04/2015 by Legislative Services Agency

An [html](#) version of this document.